

1 **JOHN F. MARTIN, ESQ. (SBN 52618)**
2 **CHRISTINE HOPKINS, ESQ. (SBN 240248)**
3 **LAW OFFICES OF JOHN F. MARTIN**
4 A Professional Corporation
5 3100 Oak Road, Suite 230
Post Office Box 5331
Walnut Creek, CA 94596
Telephone: (925) 937-5433
Facsimile: (925) 938-5567

6 Attorneys for Plaintiff
7 SHERI GARAY

8

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 SHERI GARAY

Case No. 4:08-cv-01059-SBA

12 Plaintiff,

13 v.

14 UNUM LIFE INSURANCE COMPANY
15 OF AMERICA; DOES 1-10

16 Defendants.

17 **NOTICE OF NON-OBJECTION TO**
FEDERAL COURT JURISDICTION
BASED ON DIVERSITY OF CITIZENSHIP
OF THE PARTIES

18 **TO THE HONORABLE SAUNDRA ARMSTRONG AND TO DEFENDANT AND ITS**
ATTORNEY OF RECORD:

19 Please take notice that Plaintiff hereby stipulates that this Federal Court has jurisdiction over the
20 instant action due to diversity of citizenship of the parties under 28 U.S.C. § 1332(a). Plaintiff does not
21 agree that the Court has subject matter jurisdiction over the instant action under Federal ERISA law, 29
22 U.S.C. § 1001, et seq. In response to all future Motions by Defendant and all future proceedings in this
23 Court, Plaintiff hereby reserves her rights to assert and present evidence that ERISA does not provide
24 the Court subject matter jurisdiction over the instant action and that ERISA law does not preempt her
25 claims under the laws of the State of California.

26 DATED:

27 3/21/08

28 LAW OFFICES OF JOHN F. MARTIN
A Professional Corporation

By: /s/
CHRISTINE HOPKINS, ESQ.